

4. Individuals that Life Time Fitness employs as hair stylists engage in a wide range of duties, which often vary depending on the needs of their particular spa location or the expectations of their individual supervisors, or “Department Heads.”

5. In general, hair stylists primarily are responsible for providing various hair services and treatments that meet clients’ needs and expectations. Hair stylists additionally are expected to initiate, develop, and maintain personalized relationships with clients and to demonstrate successful client retention. Hair stylists also are responsible for educating clients on LifeSpa and Salon products, services, and treatments and for promoting and selling hair products, services and treatments and encouraging repeat business. Beyond their duties related to service and product sales and client development, hair stylists also are expected to perform various administrative duties and are responsible for various safety measures. Life Time Fitness’s Stylist Position Description also specifically lists “[p]unches in and out of Kronos” and “[a]dheres to company policies and procedures” as particular responsibilities applicable to all hair stylists. A copy of the Stylist Position Description is attached as **Exhibit A**.

6. LifeSpa salons thus offer a range of spa services, and although the duties outlined above and in the Stylist Position Description generally apply to all stylists, the tasks performed by each stylist on a day-to-day basis vary greatly. Life Time Fitness’s LifeSpa salons employ hair stylists at over 80 different workplaces in over 20 states across the country. As of March 2013, Life Time Fitness employed 27 hair stylist employees at its City Centre LifeSpa located in Houston, Texas, during the class period at issue. A Copy of the Company’s roster of hair stylist employees at this location as of the foregoing date is attached as **Exhibit B**.

7. The hair stylist employees at each of the over 80 LifeSpa locations identified above report to a different Department Head. Furthermore, each stylist may report to a number

of different Department Heads at a given location throughout their tenure with the Company, as there is a fairly high rate of turnover in the Department Head role. For example, while employed at Life Time Fitness's City Centre location in Houston, Texas, Plaintiff Pier Nieddu reported to the following individuals during the time periods set forth below:

- Francisco Fuentes, Department Head; 04/20/10 through 07/31/11
- Patrick J. Fricano, General Manager; 08/01/11 through 09/07/11
- Moniqua McKinney, Interim Department Head / Front Desk Coordinator;
09/15/11 through 09/18/11
- Glenn Walden, Interim Department Head; 9/19/2011 through 10/31/2011
- Merquiz Guzman, Interim Department Head / Front Desk Coordinator; 11/1/2011
through 11/30/2011
- Holly Dodson, Department Head; 12/01/11 through 03/15/12 (Plaintiff's
termination date)

Opt-in plaintiff Rosalind Hampton similarly has reported to a wide range of individuals during her tenure at the City Centre location, including the following:

- Francisco Fuentes, Department Head; 04/20/10 through 07/31/11
- Patrick J. Fricano, General Manager; 08/01/11 through 09/07/11
- Moniqua McKinney, Interim Department Head / Front Desk Coordinator;
09/15/11 through 09/18/11
- Glenn Walden, Interim Department Head; 09/19/11 through 10/31/11
- Merquiz Guzman, Interim Department Head / Front Desk Coordinator; 11/01/11
through 11/30/11
- Holly Dodson, Department Head; 12/01/11 through 03/15/12

- Christine “Maria” Presnell, Department Head; 09/05/12 through 10/29/12
- Monica Bauer, Interim Department Head / Regional Operations Manager;
10/30/2012 through 11/5/2012
- Gracie Sanchez, Department Head; 11/05/12 through present

Each Department Head, including each one of the foregoing individuals, manages and operates his or her individual LifeSpa based on the individual needs of the business in that particular location at a given time. Each LifeSpa has its own unique budget, schedule, service offerings, retail line, hours of operation, prices, and so forth based on the individual location’s business needs.

8. The day-to-day tasks that Department Heads assign to each hair stylist vary based on the factors outlined above, as well as factors related to the individual stylist. Hair stylists have varying service skill levels, and they occupy roles ranging from “apprentice” to “master” level stylists. Furthermore, stylists may perform different services based on their particular areas of expertise. For example, stylists may have an emphasis in one or more of the following areas: color, cuts, ethnic hair, up-dos and/or bridal hair, and hair extensions. Accordingly, the services assigned to each stylist will depend upon the individual’s skill level and particular expertise.

9. The duties that each Department Manager assigns to each individual stylist may also vary based upon the individual’s schedule. Department Heads may assign different duties based on whether hair stylists are opening or closing the salon, or whether stylists are working busy or slow hours. Hair stylists have a wide array of different work schedules. For example, a stylist may work only days or evenings, only weekdays or weekends, or a combination of the foregoing. Stylists also work varying hours, ranging from part-time to full-time schedules. While Department Heads generally determine schedules, hours, and related duties based on

stylists' work availability and skills along with location needs, where newly hired stylists bring a book of business from a previous salon, Department Heads may allow them to "mirror" the prior schedule (and possibly duties) they held with their previous employer to help accommodate their existing clients.

10. In addition to the differences outlined above, hair stylists vary greatly in their productivity levels, and the duties Department Heads assign to each stylist may vary accordingly. While some stylists have clients booked for services during each of their assigned shifts, others may not have any clients booked during their scheduled work hours. It is up to each Department Head to determine what tasks, if any, hair stylists are expected to perform when they do not have any services scheduled during their assigned shifts. While all stylists are expected to assist with cleaning duties, stylists with lower productivity levels may be expected to engage in more cleaning tasks and promoting their services in the club. In the alternative, Department Heads may allow or require hair stylists with low productivity to end work for the day. The same is true for periods of "down time" between stylists' scheduled service appointments. While some Department Heads may require stylists to remain at the salon to assist with cleaning or other tasks, or to service any walk-in clients, other Department Heads may allow or require stylists to clock-out and use the down time for their personal benefit, consistent with federal and state laws governing rest breaks. In making such decisions, along with the hair stylist's individual productivity levels, Department Heads also consider factors such as the potential business needs of the salon, the budget, payroll projections, and the like. These factors may vary depending on whether a particular shift, day, or season is typically busy or slow at the LifeSpa location in question.

11. While all hair stylists are expected to achieve daily, weekly, and monthly goals and to meet a standard retail sales minimum, their individual goals vary based on a range of factors, including stylists' experience levels and individual service prices. As with services, hair stylists have varying skill levels regarding sales, and the sales-related tasks assigned to hair stylists may vary accordingly. For example, some Department Heads may assign certain stylists to assist customers at a "retail sample table" for all or part of an assigned shift.

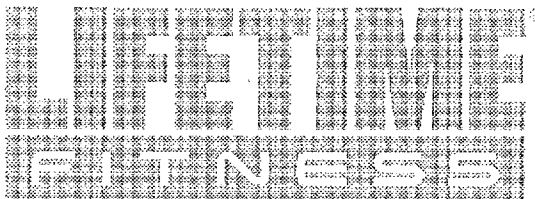
12. Former City Centre Department Head Francisco Fuentes was terminated in July 2011 for misconduct. Similarly, Plaintiff Pier Nieddu was terminated from his hair stylist position approximately six months later in March 2012, also for engaging in misconduct. Specifically, Mr. Nieddu admitted to working for another salon while he was employed with Life Time Fitness, which was in direct violation of the salon agreement he signed with the Company. He additionally engaged in insubordinate conduct, arguing with his then-Department Head, Holly Dodson, when she caught him smoking an "electronic cigarette" while in the salon area – conduct which also violated Company policy.

FURTHER AFFIANT SAYETH NOT

s/ Alexandra Yanez
Alexandra Yanez

Subscribed and sworn to before me
this 13th day of May, 2013.

s/Nissa A. Munger
Notary Public



Position Description

Job Title: Stylist
Department: LifeSpa and Salon
Reports to: Department Head
Direct Reports: None
FLSA Status: Non-exempt
Updated: June 2008

General Summary

Provides various hair services and treatments that improve the guest's overall sense of well-being and enhances the club experience while living the mission, vision and core values of LifeSpa and Salon and Salon. Works with the entire LifeSpa and Salon team to provide a superior experience in a professional atmosphere.

Major Duties & Responsibilities

Member Experience

1. Greets and services members in a friendly and professional manner
2. Provides individualized hair services and treatments that meet the clients' needs and expectations
3. Initiates, develops and maintains personalized relationships with clients
4. Offer exceptional customer service that encourages repeat business
5. Educates clients on LifeSpa and Salon products, services, and treatments to assist them in maintaining their style
6. Discusses options with clients to determine the individual needs of each client
7. Continues to have successful client retention
8. Maintains LifeSpa and Salon appearance and cleanliness

Sales & Promotion

1. Promotes and sells hair products, services and treatments and encourages repeat business
2. Promotes all LifeSpa and Salon products, services and treatments
3. Maintains average retail per ticket sale as defined in the Standard Operating Procedures (SOP)

Financial & Budgetary

1. Achieves daily, weekly, and monthly goals
2. Meets standard retail sales minimum
3. Continues to have an upward trend in service sales
4. Develops a client base and has an upward trend in client retention

Administrative

1. Remains current on certifications and new trends in the industry
2. Presents oneself professionally in dress, hair and make-up
3. Continues to demonstrate technical ability of an exceptional caliber
4. Punches in and out of Kronos
5. Completes all assigned Life Time University courses
6. Attends department and "all club" meetings
7. Maintains work stations

Responsibilities of All Positions

- Supports and articulates the Life Time Fitness and LifeSpa and Salon mission and vision statements and core values
- Adheres to company policies and procedures
- Ensures cleanliness of the club using all 5 senses:
 - Sight to ensure club is neat and orderly
 - Sound to ensure music/ sound levels are appropriate
 - Touch to ensure floors, countertops, etc are clean and dry
 - Taste to ensure food & beverages in the café are up-to-standards
 - Smell to ensure the club is fresh and odor free

Customer Service:

- Demonstrates positive attitude and actions through a display of courtesy, service, cooperation, hospitality, sensitivity, and professionalism to internal and external customers

Safety:

Safety responsibilities include:

- Complies with all company safety rules
- Uses all required safety devices and personal protection equipment
- Reports accidents and injuries to supervisor as soon as possible
- Participates in safety training and safety inspections
- Suggests methods of preventing hazards to safety committee

Minimum Qualifications

Education:

- Cosmetology

Experience:

- 1-3 years experience as a stylist in a professional setting preferred

Licenses / Certifications / Registration:

- Cosmetology license in State where work is to be performed

Knowledge, Skills, Abilities and Other Characteristics

- Excellent customer service skills
- Ability to promote and sell hair products, services, and treatments
- Ability to build relationship with members and guests
- Ability to perform various types of hair services and treatments
- Ability to multi-task and learn quickly
- Ability to operate a personal computer
- Knowledge of standard office procedures and computer software; Salon Biz software preferred

Language Ability:

Intermediate- Ability to read and interpret documents such as safety rules, operating and maintenance instructions, and procedure manuals. Ability to write routine reports and correspondence. Ability to speak effectively before groups of customers, clients, and other employees of the organization in English.

Math Ability:

Intermediate- Ability to calculate figures and amounts such as discounts, interest, commissions, proportions, percentages, area, circumference, and volume. Ability to apply basic concepts of basic algebra and geometry.

Reasoning Ability:

Intermediate Skills- Ability to apply common sense understanding to carry out instructions furnished in

Note: This is not a comprehensive definition of the position. Position holders are expected to undertake any work that comes with the position's main objective. This position description will be kept under review and may be changed at any time.

written, oral, or diagram form. Ability to deal with problems involving several concrete variables in standardized situations.

Technical Skills:

To perform this job successfully, an individual must have basic PC operating.

Physical Demands:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is frequently required to stand; walk; use hands to finger, handle, or feel objects, tools, or controls; reach with hands and arms; ability to climb ladders. The employee is occasionally required to sit.

The employee must frequently lift and/or move up to 10 pounds and occasionally lift and/or move up to 50 pounds.

Work Environment:

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. The work is performed in a spa within an athletic club environment. The noise level is usually moderate.

Note: This is not a comprehensive definition of the position. Position holders are expected to undertake any work that comes with the position's main objective. This position description will be kept under review and may be changed at any time.

Club Name	Club- Number	Job Profile
	CityCentre Houston	LifeSpa-Stylist
	CityCentre Houston	LifeSpa-Stylist
	CityCentre Houston	LifeSpa-Stylist
	CityCentre Houston	LifeSpa-Stylist
	CityCentre Houston	LifeSpa-Stylist
	CityCentre Houston	LifeSpa-Stylist Apprentice
	CityCentre Houston	LifeSpa-Stylist
	CityCentre Houston	LifeSpa-Stylist Apprentice
	CityCentre Houston	LifeSpa-Stylist Apprentice
	CityCentre Houston	LifeSpa-Stylist Apprentice
	CityCentre Houston	LifeSpa-Stylist
	CityCentre Houston	LifeSpa-Stylist Apprentice
	CityCentre Houston	LifeSpa-Stylist
	CityCentre Houston	LifeSpa-Stylist Apprentice
	CityCentre Houston	LifeSpa-Stylist
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	CityCentre Houston	LifeSpa-Stylist Apprentice
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	CityCentre Houston	LifeSpa-Stylist
	CityCentre Houston	LifeSpa-Stylist
	CityCentre Houston	LifeSpa-Stylist
	CityCentre Houston	LifeSpa-Stylist
	CityCentre Houston	LifeSpa-Stylist Apprentice
	CityCentre Houston	LifeSpa-Stylist Apprentice
CityCentre Houston Count	27	

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